

C. Allahyarham YABhg. Tun Abdul Hamid bin Mohamad

If it pleases this Honourable Court,

1. We gather in this third session to honour the memory of a jurist whose life embodied dedication, judicial discipline and intellectual rigour, the late Chief Justice of Malaysia, Allahyarham Tun Abdul Hamid bin Mohamad.
2. To the legal fraternity, Tun Abdul Hamid was widely respected for his practical approach, clarity of thought, and decisive judicial writing. He was a champion of clear, structured judgments and was instrumental in advocating for the use of the National Language in court proceedings and judgment writing, ensuring that the law remained accessible to the public it serves¹.
3. Tun Abdul Hamid also played a foundational role in shaping Islamic jurisprudence, civil court procedures and Islamic finance in Malaysia. During his tenure on the Bench, he delivered landmark judgments on *waqf* and conflict of jurisdiction between the civil and sharia courts. These rulings were later compiled into a 508-page treatise, *Konflik dan Pengharmonian* and became the touchstone for legal scholarship on harmonising civil and sharia jurisdictions².
4. His expertise led to his appointment as a member of the Syariah Advisory Councils of both Bank Negara Malaysia and the Securities Commission of Malaysia, and later as Chairman of the Law Harmonisation Committee of Bank Negara Malaysia where he spearheaded the recommendation of key amendments including to the Rules of Court to ensure civil procedures accommodated Islamic financial transactions. Specifically he led the initiative to recommend the amendment of Order 42 Rule 12A of the Rules of Court 2012 to introduce a specific late payment charges on judgment debts in Islamic banking cases³.
5. Tun Abdul Hamid penned hundreds of articles, working papers, lectures and authored books including *I Will Never Beg* and *The Truth Shall Prevail*. He generously created his own public website to make his lifetime of writings, speeches and seminal judgments freely accessible to the public.
6. The Bar joins his wife, family, friends and loved ones in mourning this loss and honours a jurist and prolific scholar who dedicated his life to the law and the nation. May the Almighty have mercy on his soul.

¹ file:///C:/Users/DELL/Downloads/2022_05_22_BM_DAN_PENGUKUHAN_MELALUI_UNDANG2_FINAL.pdf

² <https://library.kehakiman.gov.my/index.php/2023/07/24/biografi-tun-abdul-hamid-muhammad/>

³ https://www.bnm.gov.my/documents/20124/65406/BNM_LHC_Report_2013.pdf/063e9f20-10e4-c15c-8830-0267c62e4cd2?t=1586512440352